

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

UNITED STATES OF AMERICA

V.

DALE STEWART,

Defendant.

No. 1:23-mj-84-01-DL

**ASSENTED-TO MOTION TO EXTEND INDICTMENT DEADLINE
PURSUANT TO 18 U.S.C. § 3161(h)(7)(A)**

The United States of America, with Defendant's assent, hereby moves to extend the period within which to return an indictment in this matter for approximately 60 days, until on or about August 4, 2023, pursuant to 18 U.S.C. § 3161(h)(7)(A). As grounds for this motion, the United States assert the following:

1. On April 28, 2023, the Court issued a criminal complaint against Defendant.
2. On May 3, 2023, the Court held an initial appearance on said complaint, under Fed. R. Crim. P. 5.
3. The parties are presently discussing the possible disposition of this case by pre-indictment plea agreement, which the parties believe may be in their mutual interests. Under the terms of the Speedy Trial Act, this case must be indicted within 30 days from the date of the initial appearance, plus any excludable time. *See* 18 U.S.C. § 3161(b). Accordingly, a show cause hearing is currently scheduled for June 5, 2023. It is unlikely that the negotiation of a possible plea agreement will be completed by that date.
4. Interests of Justice. It is the position of the parties that the ends of justice will be best served by the requested extension in that it will allow the parties additional time to attempt

to arrange a pre-indictment disposition of this matter, conserving judicial, grand jury, and government resources. It is the position of the parties that the interests of justice served by the requested extension outweigh the interests of the Defendant and the public in a speedy indictment.

5. The United States further requests that the Court enter an order excluding the time period from the date of the initial appearance through on or about August 4, 2023 from the Speedy Trial Act calculations in this case.


6. Wade Harwood, Esq., counsel for Defendant, assents to this motion.

WHEREFORE, the United States of America, with Defendant's assent, respectfully requests that this Court:

- A. Extend the period within which to return an indictment in this matter to on or about August 4, 2023, in the interests of justice; and
- B. Exclude the time period from the date of the initial appearance through on or about August 4, 2023 from the Speedy Trial Act calculations with respect to this case.

Respectfully submitted,
UNITED STATES OF AMERICA,
By its attorneys,

JANE E. YOUNG
UNITED STATES ATTORNEY

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